

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION

UNITED STATES OF AMERICA,	:	
	:	
	:	
v.	:	CASE NO.: 1:13-CR-31 (WLS)
	:	
EARL PRICE,	:	
	:	
Defendant.	:	
_____	:	

ORDER

Defendant Earl Price moves to continue the above-captioned case from the April trial calendar because of his deteriorating health and his current inability to assist in his own defense. (Doc. 65.)

The Speedy Trial Act permits a district court to grant a continuance at the request of Defendant or his counsel, so long as the court makes findings that the ends of justice served by ordering a continuance outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). Section 3161(h)(7)(B) provides a number of factors the Court must consider when granting a continuance. *United States v. Ragland*, 434 F. App'x 863, 866 (11th Cir. 2011). Among those factors are the likelihood that the lack of a continuance will result in a miscarriage of justice, whether the case is especially unusual or complex, or whether the case is unusual or complex enough that the failure to grant a continuance would deprive the defendant continuity of counsel or reasonable time necessary for effective preparation. § 3161(h)(7)(B).

The Court finds that, in this case, the ends of justice served by granting a continuance outweigh the best interest of the public and Defendant in a speedy trial. Based on counsel's representation, the Court finds that the failure to grant a continuance would deny counsel for defendant the reasonable time necessary for effective preparation. Specifically, because Price is hospitalized and "critically ill," he will be unable to ade-

quately assist his attorney in the preparation of his defense. Therefore, it is **ORDERED** that the time lost under the Speedy Trial Act, 18 U.S.C. § 3161, shall be **EXCLUDED FROM COMPUTATION** pursuant to 18 U.S.C. § 3161(h)(7), for the aforementioned reasons. Accordingly, the case is hereby **CONTINUED** to the June trial term, beginning June 2, 2014, unless earlier ordered by the Court.

SO ORDERED, this 18th day of February, 2014.

/s/ W. Louis Sands
THE HONORABLE W. LOUIS SANDS
UNITED STATES DISTRICT COURT